

REMARKS

Claims 17, 19, 22, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guess (US 2003/0204711), in view of McGowan et al. (US 2005/0028165), further in view of Yuh et al. (US 7,093,003).

Claims 17 and 22 are independent. Claim 19 is dependent on claim 17. Claim 24 is dependent on claim 22. Claims 17 and 22 are amended herein to comprise an element that is not taught in the combination of Guess, McGowan et al and Yuh et al. Claims 17 and 22 comprise the limitation that the firmware configuration upload and download processes are effected by an application residing solely on the web-based administration utility and the download device. This element is not taught in the cited combination of prior art. Claims 19 and 24 are dependent on amended claims, comprise the amended elements by dependence and are patentable for the reasons stated above in relation to the independent claims.

Claims 18, 20, 21, 23, 25, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guess (US 2003/0204711), in view of McGowan et al. (SU 2005/0028165), further in view of Yuh et al. (US 7,093,003), and further in view of Woodard et al. (US 2002/0104080).

Claims 18, 20 and 21 are dependent on claim 17. Claims 13, 15 and 26 are dependent on claim 22. . Claims 17 and 22 are amended herein to comprise an element that is not taught in the combination of Guess, McGowan et al and Yuh et al. Claims 17 and 22 comprise the limitation that the firmware configuration upload and download processes are effected by an application residing solely on the web-based administration utility and the download device. This element is not taught in the cited combination of prior art. Claims 18, 20, 21, 23, 25 and 26 are dependent on amended claims, comprise

the amended elements by dependence and are patentable for the reasons stated above in relation to the independent claims.

Guess, US Published Patent Application No. 2003/0204711, teaches the use of on-board memory for storing firmware configuration data during a firmware update. Guess does not teach the use of any external devices or connections or a method for changing firmware without downloading software to the firmware device.

McGowan et al, US Published Patent Application No. 2005/0028165, teaches a method for preserving client changes to a configuration file for enterprise applications. McGowan discloses a method wherein a configuration file, for configuration of an enterprise application, is stored on a client machine. The configuration file may then be edited by a user on the client machine to customize the application to the user's preferences. When a new configuration file is sent to the client machine, a preservation system is accessed to preserve the user's changes to the configuration file when a new configuration file is loaded. This preservation process modifies the new configuration file with the changes the user made to the old configuration file. In the methods of McGowan et al, the configuration files and enterprise applications are downloaded to the client device from a server over a network connection.

Woodard et al, US Patent Application No. 2002/0104080, teach a method of preserving operating system configuration parameters across systems or updates. This system works with full computer systems, such as those that use the Microsoft Windows operating systems, which have substantial system resources. This system will not work with many firmware devices that cannot accommodate additional software programs to effectuate the process. Woodard et al require the use of an SEIM, which is a program that is downloaded to the device (a computer) for determining configuration parameters.

Yuh et al, US Patent No. 7,093,003, teaches a method for updating a remote control application. In the method of Yuh et al, the application providing the remote control functionality on the device generates and updates a markup language file in which information utilized by the server is contained. Yuh et al teach that the markup language file may be sent to a server. However, Yuh et al do not teach updating the firmware configuration of a device without executing code on the device or using memory on the device.

It should be noted that both McGowan et al, Woodard et al and Yuh et al do not teach methods that relate to firmware changes. McGowan et al and Woodard et al relate to operating system and application configurations, which are very different than firmware updates. The methods of McGowan et al and Woodard et al simply install modified files on a fully functioning computer system. Embodiments of the present invention, as described in the present claims, update the firmware of a computing device without using memory on the device and without loading a specialized program onto the firmware device. These embodiments are not taught in the cited references.

In light of the amendments and arguments presented above, the examiner is respectfully requested to withdraw these rejections and proceed with allowance of this application.

Respectfully submitted,

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